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PATENT
Docket No.: 00650-0547

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: Akihiro Nagata et al.) METHOD AND SYSTEM FOR
) TREATING A POWER TRANS-
) MISSION BELT/BELT SLEEVE
)
Serial No.: 09/008,675) Group Art Unit: 1724
)
Filed: January 16, 1998) Examiner: R. Hopkins

PETITION UNDER 37 C.F.R. § 1.181

Assistant Commissioner for Patents
Box DAC
Washington D.C. 20231

Sir:

The applicants respectfully request reconsideration of the Determination of Patent Term
Extension under 35 U.S.C. § 154(b).

37 CFR 1.8
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 5, 2004..


Name: Bertha Jackson



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Patent Term Extension Under 35 U.S.C. § 154(b)

The present application, Application No. 09/008,675, has been allowed. Along with the Notice of Allowance, the applicants have received the Determination of Patent Term Extension under 35 U.S.C. § 154(b) indicating that the Patent Term extension is zero days. Applicants believe this calculation has been in error as the application had previously been subject to Appellate Review by the Board of Patent Appeals and Interferences for over two and a half years. The subsequent outcome reversed an adverse determination of patentability against the application. The factual considerations are outlined below.

1. The present application was filed in the United States on January 16, 1998, thus falling within the specified time period of June 8, 1995 to May 29, 2000.
2. The present application is **NOT** subject to any terminal disclaimers.
3. A Notice of Appeal was filed on April 18, 2000.
4. The Board of Patent Appeals and Interferences reversed an adverse determination of patentability on November 7, 2002, over two and a half years after the Notice of Appeal was filed, thereby extending the term by 933 days.
5. The Notice of Appeal was filed prior to January 16, 2001, three years from the original filing date, thereby shortening the term extension by 273 days to 660 days.
6. The applicants were diligent at all stages of the prosecution of the present application including responding to Office Actions, filing the Notice of Appeal and Appeal Brief, and responding to all other requests.

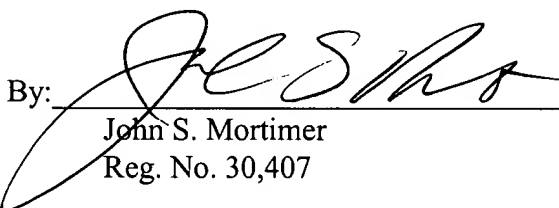


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CONCLUSION

Therefore, the applicants respectfully request reconsideration of the Determination of Patent Term Extension under 35 U.S.C. § 154(b). The total extension requested, as calculated above, is 660 days. The applicants do not believe any fee is required for this petition. However, should any fee be required, please charge deposit account number 23-0785.

Respectfully Submitted,

By: 
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